

**AMENDMENTS TO THE DRAWINGS**

Please amend the figures as shown in the enclosed replacement sheet. The attached sheet includes changes to Figure 1. The label Prior Art has been added to Figure 1.

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

#### **Disposition of Claims**

Claims 1-9 are currently pending in the present application. Claims 1, 2, 3, and 7 are independent. Claims 6 and 8-9 depend, either directly or indirectly, from claim 1, and claims 4-5 depend from claim 3.

#### **Objections to the Drawings**

The Examiner objected to Figure 1 for not being labeled Prior Art. The drawings have amended to include the label Prior Art in Figure 1. Accordingly, removal of this objection is respectfully requested.

#### **Claim Amendments**

Claims 1-3 and 7-9 have been amended by way of this reply. Claims 2, 3, and 7 have been amended into independent form. Claim 1 has been amended to more precisely recite the present invention. Claims 8 and 9 have been amended to conform with the amendments to claim 1. Support for the amendments to claim 1 can be found, for example, in Figures 2 and 6(a)-(c), and paragraphs [0077]-[0088]. No new matter has been added by the amendments.

#### **Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 2-5 and 7 contain allowable subject matter. Claims 2, 3, and 7 have been rewritten as independent claims. Claims 4-5 are dependent from claim 3. Thus, claims 2-5 and 7 are now in condition for allowance.

**Rejections Under 35 U.S.C. § 102**

Claims 1, 6, 8, and 9 of the present application were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,304,709 (“Fujita”). Claims 1, 8, and 9 have been amended by way of this reply. To the extent that the rejection may still apply to the amended claims, the rejection is respectfully traversed.

Claim 1 as amended requires, in part, “the actuator moves at least a part of the at least one light reflection surface linearly along a direction orthogonal to a light axis of the light emitted from the first optical transmission channel, relative to at least one of the first optical transmission channel and the second optical transmission channel.”

Fujita discloses a variable optical attenuator with a first optical fiber having a mirror reflecting a light beam emitted from the end face of the first fiber, a second optical fiber arranged parallel to the first fiber, on which the emitted light beam reflected by the mirror is incident, and a position adjustment unit for adjusting the distance between the mirror and the end face of the first fiber. However, the position adjustment unit in Fujita moves the mirror *parallel* to the light axis of the light emitted from the first optical fiber, and not orthogonal thereto, as required by the claim. Fujita clearly fails to show or suggest the above limitations.

Thus, claim 1 is patentable over Fujita, at least for the above reasons. Claims 6 and 8-9 are dependent, either directly or indirectly, from claim 1. Thus, claims 6 and 8-9 are patentable over Fujita, for at least the same reasons as claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

Applicant believes this reply is fully responsive to all outstanding issues and places the present application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-0591, under Order No. 15115/147001 from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

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